

Ser. No.: 10/801,844

Atty. Docket No.: 6579-0128-1

Art Unit: 3725

Amendment and Reply dated June 15, 2006

In Response to Office Action of February 15, 2006

REMARKS

Claims 1-20 are pending and were examined. Claims 1-20 have been rejected by the Examiner under 35 U.S.C. §§102(b) and 103(a). No claims were objected to and no claims were allowed. The Examiner objects to the drawings under 37 CFR §183(a).

By this Amendment and Reply, Claims 1-3 and 18-19 were amended, Claims 17 and 20 were cancelled and no new claims were added. Accordingly, Claims 1-16 and 18-19 are presented for further examination. Favorable reconsideration of this application in light of the following discussion is respectfully requested.

Objection to the Drawings:

The Examiner has objected to drawings stating that the drawings must show every feature of the invention specified in the claims. In particular, the Examiner notes that a razor caddy recited in Claims 17 and 20 is not illustrated in the drawings. Claims 17 and 20 have been cancelled without prejudice to include those claims in another related application.

In view of the foregoing, Applicants respectfully request that the Examiner reconsider and withdraw the objection to the drawings.

Amendment to the Specification:

In Applicant's further review of the subject application, minor informalities in the original disclosure were noted. In particular, paragraphs [0003], [0011], [0012], [0014] and [0016] were amended to remove minor typographical errors. No new matter was added.

Prior Art Rejections:

In Sections 2 and 3 of the Office Action the Examiner rejects Claims 1, 6, 9, 11-16 and 18 under 35 U.S.C. §102(b) as being anticipated by Perry (U.S. Patent No. 3,795,979). This rejection is respectfully disagreed with, and is traversed below.

Firstly, without addressing the patentability of Claims 1 and 18 as previously presented in view of Perry, and merely to streamline prosecution of the present application, clarifying

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amendments have been made to Claims 1 and 18 to remove inadvertent, typographical errors in these claims and to now recite a limitation previously presented in dependent Claims 17 and 20, respectively.

Turning to the rejection, Perry is seen to merely describe a safety razor comprising a handle 10 and a blade unit 12 releasably mounted to the handle 10. The handle 10 includes **integral** elongated grip portion 14 and head portion 15. The head portion 15 receiving the blade unit 12. See Perry at Col. 2, lines 31-37 (emphasis added) and FIG. 1.

Perry further describes that the handle 10 consists of a plastic body 16, a pair of identical metallic side plates 60, a latch spring 84 and a pair of identical release members in the form of plastic levers 92. The plastic body 16 includes a central web 28 which is integral with symmetrically disposed end panels 30. See Perry at Col. 2, lines 60-66.

Perry describes the end panels 30 merge with flanges 34 of the head portion 15. The flanges 34 are generally planar. Each flange 34 is **integral** with a raised platform 36. An upper surface of the platform 36 includes a raised portion 38 and a depression 40. Lips 50 at outer ends of the flanges 34 extend upwardly providing upper surfaces 52 and side surfaces 54. See Perry at Col. 3, lines 7-22 (emphasis added).

Perry also describes the metal side plates 60 each include an elongated planar panel 62 having a pair of inwardly directed flanges 64. The flanges 64 merge at their upper, wider ends with flanges 70 which protrude from the lower edges of widened head portion 72 of side plate 60. The head portion 72 includes an **integral** upper plate 74 projecting from right angle bend 73. The plane of plate 74 is perpendicular to that of vertical surface 71 adjacent bend 73. See Perry at Col. 3, lines 28-35 (emphasis added) and FIGS. 1 and 2.

Figure 2 of Perry is provided below for the convenience of the Examiner.

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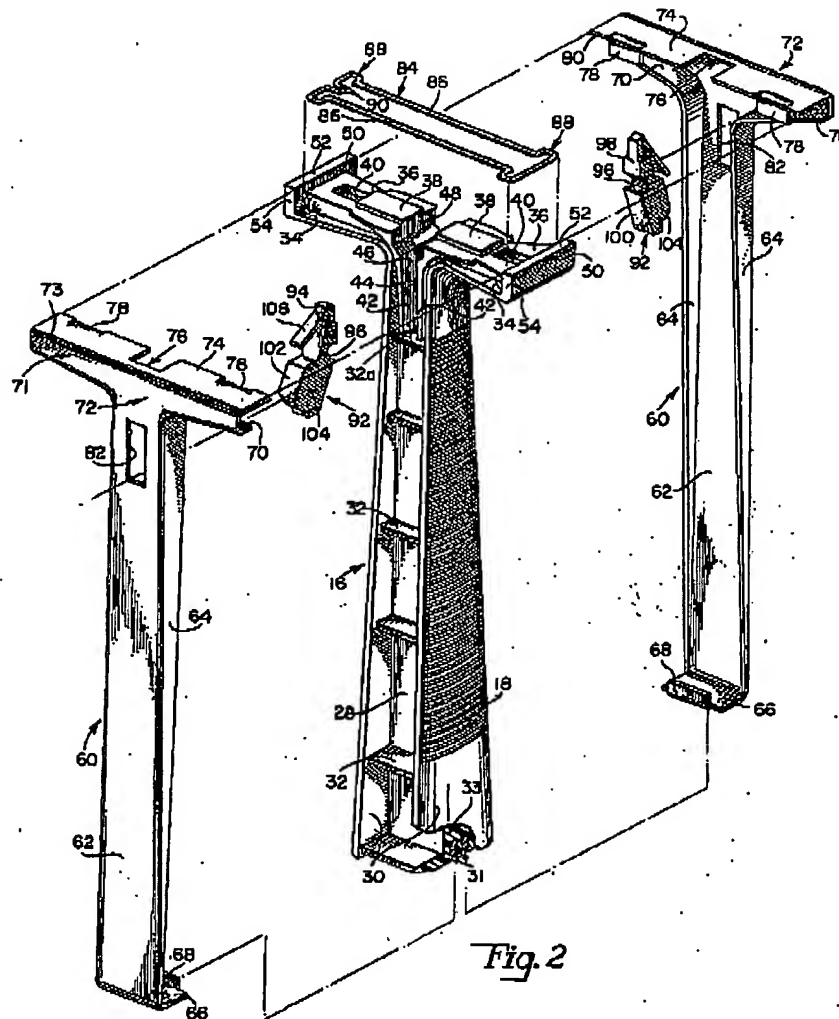


Fig. 2

In Section 3 at page 3 of the Office Action, the Examiner appears to suggest that Perry discloses substantially the present invention as recited in independent Claim 1 noting, in particular, that Figure 2 and the components near and adjoining 36, 38, 50, 40, 52, 84 and 88 disclose a head assembly as recited in Claim 1. As noted below, Applicant respectfully disagrees with this characterization of Perry.

For example, Claim 1 as now written recites, in pertinent part:

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“1. A razor handle assembly comprising:
a first handle section having a first body portion;
a second handle section having a second body portion, ...;
attachment means for coupling said first and second handle sections together, so that said first and second handle sections cooperate to form a closed end and an open end generally opposite said closed end;
a head assembly interposed between said first and second body portions at said open end, ...; and
a core interposed between said first and second body portions, ...;
wherein said first and second handle sections, an end of said core, and an end of said head assembly cooperate to define an aperture.”

The Applicant respectfully directs the Examiner to the portion of Perry included above and, in particular, where Perry describes a handle 10 including an integral elongated grip portion 14 and head portion 15. It is respectfully submitted that a handle having an integral grip and head portion is not seen to expressly or implicitly, describe or suggest a handle assembly comprising a first handle section, a second handle section and a head assembly and core interposed between the first and second handle sections, wherein the first and second handle sections, an end of the core, and an end of the head assembly cooperate to define an aperture, as is recited in independent Claim 1 as now written.

Moreover, Perry's side plates 60 with flanges 70 protruding from a widened head portion 72 is not seen to provide the recited “open end” formed by the first and second body portions. The open end receives the head assembly. In the Office Action the Examiner appears to suggest that a central notch 76 of the integral upper plate 74 of the side plate 60 define the recited open end. It is not seen how the Examiner proposes the central notch would receive the recited head assembly as recited in Claim 1.

Since Perry is seen to describe a safety razor comprising a handle 10 and a blade unit 12 releasably mounted to the handle 10, where the handle 10 includes integral elongated grip portion 14 and head portion 15, the grip portion 14 including a plastic body 16, a pair of identical metallic side plates 60, the metal side plates 60 each include an elongated planar panel 62 having a pair of inwardly directed flanges 64, the flanges 64 merging at their upper, wider ends with flanges 70 which protrude from the lower edges of widened head portion 72 of side plate 60, it is

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respectfully submitted that Perry can not anticipate independent Claim 1, as now written, as it is well recognized that "[a] claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." Verdegaal Bros. v. Union Oil Co. of California, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).

Accordingly, Applicant deems independent Claim 1, as now written, to be allowable over Perry, at least since Perry is not seen to expressly or implicitly, describe or suggest a handle assembly comprising a first handle section, a second handle section and a head assembly and core interposed between the first and second handle sections, where the first and second handle sections, an end of the core, and an end of the head assembly cooperate to define an aperture. Since amended, independent Claim 1 is deemed allowable, Claims 6, 9 and 11-16, which depend from and further limit Claim 1, are deemed allowable.

Independent Claim 18, as now written, includes similar limitations as Claim 1. As such, Claim 18 is also deemed allowable for the reasons above.

In view thereof, the Examiner is respectfully requested to reconsider and remove the rejection of Claims 1, 6, 9, 11-16 and 18 under 35 U.S.C. §102(b) as being anticipated by Perry.

In Section 4 of the Office Action the Examiner rejects Claim 10 under 35 U.S.C. §102(b) as being anticipated by Apprille, Jr. et al. (U.S. Patent No. 5,497,551). This rejection is respectfully disagreed with, and is traversed below.

Applicant notes that Apprille, Jr. et al. was not cited against independent Claim 1. Since Claim 10, depends from and further limits independent Claim 1, it is respectfully submitted that Claim 10 is deemed allowable over Apprille, Jr. et al. at least through its dependence on an allowable base claim.

Accordingly, the Examiner is respectfully requested to reconsider and remove the rejection of Claim 10 under 35 U.S.C. §102(b) as being anticipated by Apprille, Jr. et al.

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In Sections 5-7 of the Office Action the Examiner rejects Claims 2-4 and 7 under 35 U.S.C. §103(a) as being unpatentable over Perry in view of Gerber, Jr. et al. (U.S. Patent No. 4,470,327). This rejection is respectfully disagreed with, and is traversed below.

The Examiner states at page 8 of the Office Action that Perry teaches all of the elements of the claimed invention except for an aperture in the second handle portion and that Perry has studs that do not depend into the opposing handle portion. The Examiner turns to Gerber, Jr. et al. to cure this deficiency.

Assuming that the proposed combination of Perry and Gerber, Jr. et al. is proper and that Gerber, Jr. et al. disclose an aperture and studs that depend into an opposing handle portion as recited in Claims 1, 2-4 and 7 as is asserted by the Examiner, points that are not admitted, Gerber, Jr. et al. are not seen to cure the above argued deficiencies in the application of Perry to the subject matter as now recited in independent Claim 1 at least since Perry does not expressly or implicitly, describe or suggest all of the subject matter of amended independent Claim 1, as argued above. In view thereof, the proposed combination of Perry and Gerber, Jr. et al. does not render Claims 2-4 and 7 obvious, at least since Claims 2-4 and 7, either directly or through intervening claims, depends from and further limit independent Claim 1.

Accordingly, the Examiner is respectfully requested to reconsider and withdraw the rejection of Claims 2-4 and 7 under 35 U.S.C. §103(a) as being unpatentable over Perry in view of Gerber, Jr. et al.

In Section 8 of the Office Action the Examiner rejects Claim 5 under 35 U.S.C. §103(a) as being unpatentable over Perry in view of Gerber, Jr. et al., and further in view of Wolfe (U.S. Patent No. 4,184,248). This rejection is respectfully disagreed with, and is traversed below.

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The Examiner states at page 10 of the Office Action that Perry in view of Gerber, Jr. et al. teaches all of the elements of the claimed invention except for use of an adhesive as a fastening means. The Examiner turns to Wolfe to cure this deficiency.

Assuming that the proposed combination of Perry, Gerber, Jr. et al. and Wolfe is proper and that Wolfe discloses an adhesive fastening means as recited in Claim 5 as is asserted by the Examiner, points that are not admitted, Wolfe is not seen to cure the above argued deficiencies in the application of the proposed combination of Perry and Gerber, Jr. et al. to the subject matter as now recited in independent Claim 1 at least since the proposed combination of Perry and Gerber, Jr. et al. does not expressly or implicitly, describe or suggest all of the subject matter of amended independent Claim 1, as argued above. In view thereof, the proposed combination of Perry, Gerber, Jr. et al. and Wolfe does not render Claim 5 obvious, at least since Claim 5, either directly or through intervening claims, depends from and further limit independent Claim 1.

Accordingly, the Examiner is respectfully requested to reconsider and withdraw the rejection of Claim 5 under 35 U.S.C. §103(a) as being unpatentable over Perry in view of Gerber, Jr. et al. and further in view of Wolfe.

In Section 9 of the Office Action the Examiner rejects Claim 8 under 35 U.S.C. §103(a) as being unpatentable over Perry in view of Apprille, Jr. et al., and further in view of C.G. Preis et al. (U.S. Patent No. 3,071,857). This rejection is respectfully disagreed with, and is traversed below.

The Examiner states at page 11 of the Office Action that Perry discloses every component of the claimed invention except for the use of at least three rivets to join first and second handle sections together, with at least one rivet extending through the head assembly and at least one other rivet extending through a core interposed between the first and second handle sections. The Examiner uses Apprille, Jr. et al. and Preis et al. to cure these deficiencies, stating

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that Apprille, Jr. et al. teach the use of at least three rivets and at least one rivet extending through the core section and Preis et al. teach the use of at least one rivet extending through the head assembly between two handle portions.

Assuming that the proposed combination of Perry, Apprille, Jr. et al. and Preis et al. is proper and that Apprille, Jr. et al. and Preis et al. disclose the use of rivets as recited in Claim 8 as is asserted by the Examiner, points that are not admitted, Apprille, Jr. et al. and Preis et al. alone or combination, are not seen to cure the above argued deficiencies in the application of Perry to the subject matter as now recited in independent Claim 1 at least since the proposed combination of Perry, Apprille, Jr. et al. and Preis et al. does not expressly or implicitly, describe or suggest all of the subject matter of amended independent Claim 1, as argued above. In view thereof, the proposed combination of Perry, Apprille, Jr. et al. and Preis et al. does not render Claim 8 obvious, at least since Claim 8, either directly or through intervening claims, depends from and further limit independent Claim 1.

Accordingly, the Examiner is respectfully requested to reconsider and withdraw the rejection of Claim 8 under 35 U.S.C. §103(a) as being unpatentable over Perry in view of Apprille, Jr. et al. and further in view of Preis et al.

In Section 10 of the Office Action the Examiner rejects Claims 17 and 20 under 35 U.S.C. §103(a) as being unpatentable over Perry in view of Lobry (French Patent No. 2,428,992).

As noted above, Claims 17 and 20 have been cancelled. Accordingly, this rejection is deemed moot. Notice thereof is respectfully requested.

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In Section 11 of the Office Action the Examiner rejects Claim 19 under 35 U.S.C. §103(a) as being unpatentable over Perry in view of Apprille, Jr. et al. This rejection is respectfully disagreed with, and is traversed below.

The Examiner states at page 12 of the Office Action that Perry discloses every component of the claimed invention except for the semi-perpendicularity of the handle portion gripping surfaces to the insert (core) gripping surfaces. The Examiner uses Apprille, Jr. et al. to cure this deficiency and further states that Apprille, Jr. et al. disclose unitary perpendicular gripping surfaces but not the use of insert strips.

Assuming that the proposed combination of Perry and Apprille, Jr. et al. is proper and that Apprille, Jr. et al. disclose the use of perpendicular gripping surfaces as recited in Claim 19 as is asserted by the Examiner, points that are not admitted, Apprille, Jr. et al. is not seen to cure the above argued deficiencies in the application of Perry to the subject matter as now recited in independent Claim 18 at least since the proposed combination of Perry and Apprille, Jr. et al. does not expressly or implicitly, describe or suggest all of the subject matter of amended independent Claim 18, as argued above. In view thereof, the proposed combination of Perry and Apprille, Jr. et al. does not render Claim 19 obvious, at least since Claim 19, either directly or through intervening claims, depends from and further limit independent Claim 18.

Accordingly, the Examiner is respectfully requested to reconsider and withdraw the rejection of Claim 19 under 35 U.S.C. §103(a) as being unpatentable over Perry in view of Apprille, Jr. et al.

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Applicant believes that the foregoing remarks are fully responsive to the Office Action and the claims are allowable over the reference applied by the Examiner. Applicant respectfully requests that the Examiner reconsider the present application, remove the objections and rejections, and allow the application to issue.

Applicant has made a diligent and sincere effort to place this application in condition for immediate allowance and notice to this effect is earnestly solicited. To expedite prosecution of this application to allowance, the Examiner is invited to call the undersigned attorney to discuss any issues relating to this application.

No fee is believed due with the filing of this Amendment and Reply, other than the aforementioned fee for a one-month extension of time. However, if an additional fee is due, Applicant authorizes the payment of any additional charges that may be necessary to maintain the pendency of the present application to the undersigned attorney's Deposit Account No. 503342.

Respectfully submitted,
Michaud-Duffy Group, LLP

DATE: June 15, 2006

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